

**PODIATRY AFFILIATED CREDENTIALING BOARD
VIRTUAL/TELECONFERENCE MEETING MINUTES
February 9, 2016**

PRESENT: Jeffery Giesking, DPM; Thomas Komp, DPM; William Weis, DPM

STAFF: Tom Ryan - Executive Director; Nifty Lynn Dio - Bureau Assistant; and other
Department staff

CALL TO ORDER

William Weis, Chair called the meeting to order at 9:00 a.m. A quorum of three (3) members was confirmed.

ADOPTION OF AGENDA

Amendments to the Agenda:

- *Late Add Item I.1 (Page 55) moved to G.3*
- *G.5 correct Statutes to Statutes*

MOTION: Jeffery Giesking moved, seconded by Thomas Komp, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF JUNE 5, 2015

MOTION: Thomas Komp moved, seconded by Jeffery Giesking, to approve the minutes of June 5, 2015 as published. Motion carried unanimously.

ADMINISTRATIVE UPDATES

ELECTION OF OFFICERS

BOARD CHAIR

NOMINATION: Thomas Komp nominated William Weis for the Office of Board Chair.

Tom Ryan called for nominations three (3) times.

William Weis was elected as Chair by unanimous consent.

VICE CHAIR

NOMINATION: Jeffery Giesking nominated Thomas Komp for the Office of Vice Chair.

Tom Ryan called for nominations three (3) times.

Thomas Komp was elected as Vice Chair by unanimous consent.

SECRETARY

NOMINATION: Thomas Komp nominated Jeffery Giesking for the Office of Secretary.

Tom Ryan called for nominations three (3) times.

Jeffrey Giesking was elected as Secretary by unanimous consent.

2016 ELECTION RESULTS	
Board Chair	William Weis
Vice Chair	Thomas Komp
Secretary	Jeffery Giesking

LIAISON APPOINTMENTS

2016 LIAISON APPOINTMENTS	
Credentialing Liaison	William Weis <i>Alternate: Thomas Komp</i>
Monitoring Liaison	Thomas Komp <i>Alternate: Jeffery Giesking</i>
Education and Exams Liaison	Jeffery Giesking <i>Alternate: Thomas Komp</i>
Legislative Liaison	William Weis <i>Alternate: Jeffery Giesking</i>
Travel Liaison	Jeffery Giesking <i>Alternate: Thomas Komp</i>
Rules Liaison	William Weis <i>Alternate: Thomas Komp</i>
Professional Assistance Procedure Liaison	Jeffery Giesking <i>Alternate: William Weis</i>
Screening Panel	Thomas Komp, William Weis, Jeffery Giesking

MOTION: Thomas Komp moved, seconded by Jeffery Giesking, to affirm the Chair's appointment of liaisons for 2016. Motion carried unanimously.

DELEGATION MOTIONS

Delegated Authority for Urgent Matters

MOTION: Thomas Komp moved, seconded by Jeffery Giesking, that, in order to facilitate the completion of assignments between meetings, the Board delegates its authority by order of succession to the Chair, highest ranking officer, or longest serving member of the Board, to appoint liaisons to the Department to act in urgent matters, make appointments to vacant liaison, panel and committee positions, and to act when knowledge or experience in the profession is required to carry out the duties of the Board in accordance with the law. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

MOTION: Jeffery Giesking moved, seconded by Thomas Komp, that the Board counsel or another department attorney is formally authorized to serve as the Board's

designee for purposes of Wis. Admin Code § SPS 1.08(1). Motion carried unanimously.

Document Signature Delegation

MOTION: Thomas Komp moved, seconded by Jeffery Giesking, to delegate authority to the Chair or chief presiding officer, or longest serving member of the Board, by order of succession, to sign documents on behalf of the Board. In order to carry out duties of the Board, the Chair, chief presiding officer, or longest serving member of the Board, has the ability to delegate this signature authority for purposes of facilitating the completion of assignments during or between meetings. The Chair, chief presiding officer, or longest serving member of the Board delegates the authority to Executive Director or designee to sign the name of any Board member on documents as necessary and appropriate. Motion carried unanimously.

Credentialing Authority Delegations

MOTION: Jeffery Giesking moved, seconded by Thomas Komp, to delegate authority to the Credentialing Liaisons to address all issues related to credentialing matters except potential denial decisions should be referred to the full Board for final determination. Motion carried unanimously.

MOTION: Thomas Komp moved, seconded by Jeffery Giesking, to delegate credentialing authority to DSPS for those submitted applications that meet the criteria of Rule and Statute and thereby would not need further Board or Board liaison review. Motion carried unanimously.

Monitoring Delegations

MOTION: Jeffery Giesking moved, seconded by Thomas Komp, to affirm the Chair's appointment of Thomas Komp as the Monitoring Liaison, and Jeffrey Giesking as the alternate, to adopt the 'Roles and Authorities Delegated to the Monitoring Liaison and Department Monitor; document as presented. Motion carried unanimously.

Travel Delegation

MOTION: Thomas Komp moved, seconded by Jeffery Giesking, to authorize the travel liaison to approve all Board travel. Motion carried unanimously.

PUBLIC HEARING: CR15-075 - POD 2 RELATING TO THE OVERTREATMENT OF PATIENTS

MOTION: Jeffery Giesking moved, seconded by Thomas Komp, to authorize The Chair to approve the Legislative Report and Draft for Clearinghouse Rule CR15-075 relating to the overtreatment of patients for submission to the Governor's Office and Legislature. Motion carried unanimously.

PUBLIC HEARING: CR15-076 – POD 1, 4, AND 8 RELATING TO THE DUTY TO OBTAIN INFORMED CONSENT

MOTION: Thomas Komp moved, seconded by Jeffery Giesking, to reject Clearinghouse comments 2.b, 2.d, 5.b, 5.c, and 5.e, and to accept all remaining Clearinghouse comments for CR15-076 relating to the duty to obtain informed consent. Motion carried unanimously.

MOTION: Jeffery Giesking moved, seconded by Thomas Komp, to authorize The Chair to approve the Legislative Report and Draft for Clearinghouse Rule CR15-076 relating to the duty to obtain informed consent for submission to the Governor's Office and Legislature. Motion carried unanimously.

LEGISLATIVE/ADMINISTRATIVE RULE MATTERS

Pod 4 – Biennial Registration of Podiatrists

MOTION: Thomas Komp moved, seconded by Jeffery Giesking, to approve the Adoption Order for Clearinghouse Rule 14-065 relating to biennial registration of podiatrists. Motion carried unanimously.

Pod 1 – Relating to Examination Requirements – Review of Preliminary Rule Draft

MOTION: Thomas Komp moved, seconded by Jeffery Giesking, to request DSPS staff draft a revised Scope Statement for Pod 1 relating to licensure requirements and to authorize the Chair to approve the Scope for submission to the Governor's Office and publication and authorize the Chair to approve the scope for implementation no less than 10 days after publication. Motion carried unanimously.

Update on Pending and Possible Legislation and Rulemaking Projects

MOTION: Thomas Komp moved, seconded by Jeffery Giesking, to request DSPS staff draft a Scope Statement revising Pod 4 and to authorize the Chair to approve the Scope for submission to the Governor's Office and publication and authorize the Chair to approve the scope for implementation no less than 10 days after publication. Motion carried unanimously.

Senate Bill 568 and Assembly Bill 726 – Board Review

MOTION: William Weis moved, seconded by Jeffery Giesking, to record the Board's opposition to Senate Bill 568 and Assembly Bill 726, which eliminate the Podiatry Affiliated Credentialing Board, as Wisconsin citizens and podiatrists are better served by a dedicated Board of podiatrists. Motion carried unanimously.

Continuing Education Audit

MOTION: Jeffery Giesking moved, seconded by Thomas Komp, to refer non-compliant license holders to the Division of Legal Services and Compliance (DLSC). Motion carried unanimously.

CLOSED SESSION

MOTION: William Weis moved, seconded by Thomas Komp, to convene to Closed Session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), and 448.02(8), Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). The Chair read the language of the motion aloud for the record. The vote of each member was ascertained by voice vote. Roll Call Vote: Jeffrey Giesking-yes; Thomas Komp-yes; and William Weis-yes. Motion carried unanimously.

The Board convened into Closed Session at 10:34 a.m.

RECONVENE TO OPEN SESSION

MOTION: William Weis moved, seconded by Thomas Komp, to reconvene in Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 10:37 a.m.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION, IF VOTING IS APPROPRIATE

MOTION: William Weis moved, seconded by Jeffery Giesking, to affirm all Motions made and Votes taken in Closed Session. Motion carried unanimously.

DELIBERATION ON CASE CLOSINGS

14 POD 003 – T.A.D., D.P.M.

MOTION: William Weis moved, seconded by Thomas Komp, to close case 14 POD 003 (T.A.D.) for prosecutorial discretion (P2). Motion carried unanimously.

14 POD 004 – S.W. AND R.N.

MOTION: William Weis moved, seconded by Jeffery Giesking, to close case 14 POD 004 (S.W. and R.N.) for prosecutorial discretion (P1). Motion carried unanimously.

DELEGATION OF RATIFICATION OF EXAMINATION RESULTS AND RATIFICATION OF LICENSES AND CERTIFICATES

MOTION: William Weis moved, seconded by Thomas Komp, to delegate ratification of examination results to DSPS staff and to ratify all licenses and certificates as issued. Motion carried unanimously.

ADJOURNMENT

MOTION: Thomas Komp moved, seconded by William Weis, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:39 a.m.